

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MEGHAN HUNTER, Individually and as Parent and
Natural Guardian of M.H.,

Plaintiff,

SHANGHAI HUANGZHOU ELECTRICAL
APPLIANCE MANUFACTURING CO., LTD.,
SHANGHAI HUANGZHOU INDUSTRY CO., LTD.,
QUALITY CRAFT HOME DÉCOR, INC., QUALITY
CRAFT MERGERCO, QUALITY CRAFT LTD., QCIL
INTERNATIONAL, INC., COLLINS CO. LTD.,
COLLINS INTERNATIONAL CO. LTD., HOME
DEPOT, U.S.A., INC., THE HOME DEPOT, INC.,
HD DEVELOPMENT OF MARYLAND, INC., and
OSRAM SYLVANIA, INC.,

Defendants.

**STIPULATION
REGARDING
PLAINTIFF'S
INDEPENDENT MEDICAL
EXAMINATION
PURSUANT TO F.R.C.P. 35;**

ORDER

Civil Action No.:
5:17-cv-0052-BKS-TWD

IT IS HEREBY STIPULATED, by and between Plaintiff MEGHAN HUNTER ("Plaintiff"), Individually and as Parent and Natural Guardian of M.H. and DEFENDANTS QCIL INTERNATIONAL, INC., formerly known as QUALITY CRAFT MERGERCO INC. successor by merger to QUALITY CRAFT HOME DÉCOR, INC., and QUALITY CRAFT LTD. (collectively "Quality Craft"), through their designated counsel, that M.H. will undergo a physical examination pursuant to Rule 35 of the Federal Rules of Civil Procedure: Said examination shall take place on **November 17, 2020** and will be conducted by Shlomo Shinnar, M.D., Ph.D. commencing at 10:30 a.m. at the offices of Smith Sovik Kendrik & Sugnet, P.C., 250 S. Clinton Street, Suite 600, Syracuse, New York 13202.

This examination will be conducted for the purposes of determining, among other things, the nature and extent of M.H.'s alleged injuries and the relationship thereof to the alleged incident which is the subject of this litigation. Photographs of M.H. may be taken for use at trial.

Plaintiff shall be responsible for the doctor's customary and reasonable fee of \$500 per hour for travel, plus costs and expenses incurred should M.H. fail to appear for the scheduled examination, or should Plaintiff fail to provide Dr. Shinnar, by and through Quality Craft's counsel with at least 24 hours' notice prior to the examination that M.H. will not appear at the examination.

IT IS FURTHER STIPULATED AND AGREED that this stipulation may be executed by digital signature, in counterparts, by facsimile, e-mail, or regular mail, each of which shall be deemed an original, but all of which shall together constitute one and the same instrument.

-Signatures on following page-

Dated: November 3, 2020
Albany, New York

PHILLIPS LYTLE LLP

By: Marc H. Goldberg
William D. Christ, Esq.
Marc H. Goldberg, Esq.,
Attorneys for Defendants
Quality Craft Ltd. and
QCIL International Inc. f/k/a
Quality Craft Mergerco, successor by merger to
Quality Craft Home Décor, Inc.
Omni Plaza
30 South Pearl Street
Albany, New York 12207
Telephone No. (518) 472-1224
wchrist@phillipslytle.com
mgoldberg@phillipslytle.com

Dated: November 3, 2020
Syracuse, New York

HANCOCK ESTABROOK, LLP

By: Timothy P. Murphy
Timothy P. Murphy, Esq.
Ryan M. Poplawski, Esq.
Attorneys for Plaintiffs
Meghan Hunter, Individually and as Parent
and Natural Guardian of M.H.
1800 AXA Tower, 100 Madison Street
Syracuse, New York 12302
Telephone No.: (315) 565-4500
tmurphy@hancocklaw.com
rpoplawski@hancocklaw.com

SO ORDERED:

Dated: November 3, 2020
Syracuse NY

Thérèse Wiley Dancks
Thérèse Wiley Dancks
United States Magistrate Judge